

P5976a

09/942,828

Response Under 37 CFR §1.116

### REMARKS

Claims 1-3, 5-15, 17-19, 21-40, and 41-52 are presented for prosecution. No claims are amended. Claims 41-52 are new. Claims 4, 16, and 20 were previously cancelled in a prior Office Action Response.

In a telephone interview, Examiner Yixing Qin clarified that he was identifying Indei's Printer Control Device 5a (Fig. 2) as the presently claimed interface device. However, Examiner Qin also appeared to suggest that Indei's "Printer Server" 5 (Fig. 2) may be identified as the presently claimed printing apparatus having a printing unit (printer 5b). It would appear that the current claim language did not preclude the claimed "interface device" from being part of the claimed "printing apparatus".

It was noted that Printer Control Device 5a is a computer (as is made clear in Fig. 3 and Indei's col. 2, lines 60-69), and serves the function of a printer server, as is explained in col. 3, lines 8-30. However, Examiner Qin noted that the present claim language did not exclude a computer from embodying the claimed interface device, and noted that Printer Control Device 5a also serves to interface printer 5b with a host computer on network 1 (Fig. 3). Examiner Qin also clarified that although Indei does not explicitly teach having backup memory within Printer Control Device 5a, it does have several different types of memories (including nonvolatile memory, Fig. 1) and does teach that important data in Printer Control Device 5a should be backed up to nonvolatile memory. As an example, it was noted that Fig. 8 shows that important information on Printer Control Device 5a may be backed up to a floppy disk. Although Indei does not specify the location of the floppy disk drive (55/56), Indei does show that Printer Control Device 5a has access to the floppy disk drive, and it is generally known to incorporate floppy disk drives into computers, such as Printer Control Device 5a. Therefore, Examiner Qin considered the incorporation of a floppy disk drive (for back up purposes) into Printer Control Device 5a to be an obvious extension of Indei's teachings, and further explained that he would consider the replacement of one type of nonvolatile memory (i.e. the floppy disk drive) with

P5976a

09/942,828

Response Under 37 CFR §1.116

another type of nonvolatile memory (i.e. solid state memory: flash or EEPROM) to be an obvious variation on the teachings of Indei.

In reference to the specific type of data being backed up, Examiner Qin conceded that Indei teaches storing billing data charged for use of printers under control of Printer Control Device 5a (col. 1, lines 15-18; and col. 3, lines 27-30), and Indei does not show backing up printer settings. However, Examiner Qin suggested that the main point is that Indei teaches the backing up of data considered to be important, and that the backing up of additional data types deemed to be important (such as printer settings) would be an obvious extension of Indei's apparatus.

In reference to dependent claim 8, Examiner Qin reasserted that since Indei suggested backing up information at any desired time, this would include any backup sequence. Particularly, Examiner Qin noted that it is a generally known practice to back up important working data before turning off a computer.

However, in reference to claim 10 (and by extension, claims 27 and 36), Examiner Qin agreed that he may have misapplied the cited references. Specifically, Examiner Qin agreed that the requirement of the claimed primary memory being nonvolatile was overlooked, and conceded that none of the cited prior art appears to show the claimed conditional data restoration sequence.

Applicants therefore request reconsideration of claims 10, 27 and 36. Applicants believe that reconsideration of existing claim 10, 27, and 36 does not necessitate any additional search since no claim is amended.

New claims 41-52 restate the present invention in more precise terms. Specifically, the general term "printing apparatus" is forgone in favor of the more precise term "printer". Furthermore, the new claims clarify that the claimed interface is external from the "printer". Also, the new claims clarify that the printer setting data is generated within the printer, not by an external computer (as is the case of Indei's Printer Control Device 5a). Lastly, the new claims attempt to exclude a computer from serving as the presently claimed "interface device" by requiring that the operation of the interface device be at least partially under control of the printer, having the printer supply power to the

P5976a

09/942,828

Response Under 37 CFR §1.116

interface device, or restricting the types of components that may make up the interface device.

This Response After Final Rejection is believed to clearly point out the patentability of at least claims 10, 27, and 36, and its entry is therefore believed proper under 37 C.F.R. §1.116. Accordingly, entry of this Response After Final Rejection, as an earnest attempt to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, he/she is respectfully requested to contact applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Respectfully submitted,



Rosalio Haro

Registration No. 42,633

Please address all correspondence to:

Epson Research and Development, Inc.  
Intellectual Property Department  
150 River Oaks Parkway, Suite 225  
San Jose, CA 95134  
Customer No. 20178  
Phone: (408) 952-6000  
Facsimile: (408) 954-9058  
Customer No. 20178

Date: January 3, 2006